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PATENT
Attorney Docket 054824-5001-02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: **Katherine M. Burnett et al.**) Confirmation No. 4660
Application No. 10/722,134) Art Unit: 1617
Filed: November 26, 2003) Examiner: Leonard M. Williams
For: **Anhydrous Topical Skin Preparations**) Date: April 18, 2006

U.S. Patent and Trademark Office
Customer Service Window, Mail Stop AF
Randolph Building
401 Dulany Street
Alexandria, VA 22314

TRANSMITTAL FORM

- Transmitted herewith is a Notice of Appeal in response to the Final Office Action dated October 19, 2005.
- Extension of Time: The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136(a) apply. Applicants petition for three-month extension of time from January 19, 2006 to April 19, 2006, the fee for which is **\$510.00** as set out in 37 C.F.R. 1.17(a). If Applicants have overlooked the need for an additional extension of time, please consider this a petition therefore. The Commissioner is hereby authorized to charge any additional fees which may be required, including fees due under 37 C.F.R. 1.16 and 1.17, or credit any overpayment to Deposit Account 50-0310.
- Fee Calculation (37 C.F.R. 1.16):

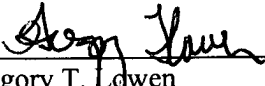
CLAIMS AS AMENDED						
	Remaining		Previously Paid	Extra	Rate	Total Fees
Total Claims	78	minus	78	0	\$50 each=	0.00
Independent Claims	3	minus	3	0	\$200 each=	0.00
First presentation of Multiple dependent claim					\$360.00	0.00
Sub-total =						0.00
Reduction by 1/2 for filing by a small entity						0.00
Total Fee =						\$0.00

- Fee Payment: The Commissioner is hereby authorized to charge **\$760.00** to Deposit Account No. 50-0310 for payment of the Notice of Appeal fee (\$250.00) and the three-month extension of time fee (\$510.00), both fees at the small entity rate.
04/19/2006 SZEWDIE1 00000094 500310 10722134
02 FC:2253 510.00 DA
- Constructive Petition: **Except** for issue fees payable under 37 C.F.R. 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. 1.16 and 1.17 which may be required, including any

required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a **constructive petition for extension of time** in accordance with 37 C.F.R. 1.136(a)(3).

Dated: **April 18, 2006**
Morgan, Lewis & Bockius LLP
Customer No. **09629**
1111 Pennsylvania Avenue, N.W.
Washington, D.C. 20004
202-739-3000

Respectfully submitted,
Morgan, Lewis & Bockius LLP



Gregory T. Lowen
Registration No. 46,882



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Attorney Docket 054824-5001-02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Katherine M. Burnett <i>et al.</i>)	Confirmation No. 4660
)	
Application No. 10/722,134)	Art Unit: 1617
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Filed: November 26, 2003)	Examiner: Leonard M. Williams
)	
For: Anhydrous Topical Skin Preparations)	Date: April 18, 2006

NOTICE OF APPEAL TO BOARD OF PATENT APPEALS & INTERFERENCES

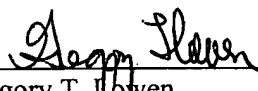
Applicants hereby appeal to the Board of Patent Appeals and Interferences from the decision dated October 19, 2005 of the Examiner finally rejecting claims 39 to 83.

The Commissioner is hereby authorized to charge **\$250.00** to Deposit Account No. 50-0310 for payment of the Notice of Appeal fee as set forth on the accompanying transmittal form.

Except for issue fees payable under 37 C.F.R. 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a **constructive petition for extension of time** in accordance with 37 C.F.R. 1.136(a)(3).

Dated: April 18, 2006
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Washington, D.C. 20004
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Morgan, Lewis & Bockius LLP



Gregory T. Lowen
Registration No. 46,882

04/19/2006 SZEWDIE1 00000094 500310 10722134
01 FC:2401 250.00 DA